

***Rhode Island Mercury Advisory Working Group***  
**Minutes from Friday, August 23, 2002**  
**10:00 a.m. - Noon**  
**RI DEM, 235 Promenade Street, Room 300**

**Attendees:** Listed at end of meeting minutes.

**Agenda:**

- 1) Welcome/Introductions
- 2) Review of Meeting Minutes (7/26)
- 3) Discussion of Draft Collection Regulations
- 4) Discussion of Exemption Process (Phase-out Provision)
- 5) Other Items of Interest & Next Meeting Date

**Meeting Minutes from July 26, 2002:**

Minutes from 7/26/02 adopted as amended. [Suggested changes have since been incorporated in to the 7/26 meeting minutes.]

**Introductions/Welcome:**

- Called to order by Jan H. Reitsma, Director DEM at approximately 10:10 a.m.
- Introductions.

**Draft Collection Regulations:**

Beverly Migliore (of DEM's Office of Technical & Customer Assistance) provided a short explanation and overview of the draft collection regulations. Draft regulations were emailed to entire group prior to the meeting.

*Discussion/Comments by Working Group Members on Draft Collection Regulations:*

- It was suggested that the phrase "mercury containing" be replaced with "mercury added" throughout the draft." Suggested amendment was agreed to by working group members.
- It was suggested that the exemptions listed under subsection (e) be amended to read exactly as the language in the statute (23-23.9-10 (b)). Suggested amendment was agreed to by working group members.
- It was suggested that the wording in subsection (b) (1) referencing public education and outreach be re-worded to better reflect the intended audience of an educational campaign. It isn't the general public that needs to be reached - rather, it will be manufacturers of mercury-added products. It was suggested that any

outreach efforts performed by the Department, IMERC or other entities should be as broad and comprehensive as possible.

- Discussion was heard about the extent to which these regulations will impact "intermediaries" that buy and sell mercury-added products. Comments were heard about the lack of control manufactures have over intermediaries who buy/sell their products. Comments were heard that the main point of these collection regulations should be to ensure that products, which do happen to contain mercury, continue to be sold AND later collected in an appropriate manner.

- Discussion was heard about the ability of manufacturers to "out-source" their collection requirements. It was pointed out the regulations specifically say collection plans can be completed by a "manufacturer, either on its own or in concert with other persons... ."

- Comments were heard about the difficulties associated with identifying an estimated capture rate for products, especially for products designed to last for a long period of time. It may be difficult for some manufacturers to accurately identify a capture rate because they don't exactly know the turn over rates of their products.

- Discussion was heard about the Thermostat Recycling Corporation (TRC) and other activities the Department could undertake, in addition to writing regulations.

- Discussion was heard about sub-groups meeting on non-regulatory issues. It was commented that those groups could and should begin meeting now.

- In response to a question about any concerns the Soap and Detergent manufacturers may have with the draft regulations, Ric Rosati commented that they're comfortable with the regulations as currently written because his clients do not purposely add mercury to their products.

### **Phase-Out Exemption Process:**

Elizabeth Stone of RI DEM began the discussion by asking the group:

*1) How should DEM solicit information from manufacturers, companies and organizations interested in applying for an exemption under §23-24.9-7? Should the Department prepare a form to be used by manufacturers, companies and organizations wanting to apply for an exemption? Or, should the Department leave it up to individuals to forward whatever information they feel the Department should have in hand before making a decision on product phase-out exemptions?*

*2) Should requests for exemptions be sent to the clearinghouse (IMERC) or should they come directly to the Department?*

*Discussion/Comments by Working Group Members on the Phase-Out Exemption Process & Associated Regulations:*

- It was decided that a form for use by manufacturers, organizations and companies who may wish to apply for an exemption is likely the best method.
- On the issue of who shall receive the forms - IMERC or DEM - Director Reitsma indicated that he thought it was pretty clear that the Department, not IMERC, should be in charge of approving all exemptions.

**Other Items of Interest:**

- It was asked what the role of RI Resource Recovery Corporation is in all these outreach and regulatory efforts? Discussion was heard about the RI Household Waste Hazardous Waste Facility (which is now under the control of RIRRC) in Johnston and the mercury products they have been collecting. Claude Cote, from Resource Recovery commented that they would consider collecting mercury-added products from residential, commercial and manufacturing customers alike - the key barrier being compensation for performing such a service.
- Discussion was heard about the cost-constraints associated with running a public outreach campaign - e.g. targeting the commercial and industrial sectors.
- On the topic of universal waste, Elizabeth Stone indicated she would email to all working group members, a detailed fact sheet on the recently adopted RI Universal Waste Rule. [This fact sheet can also be found on the RI DEM website at: <http://www.state.ri.us/dem/programs/benviron/assist/pdf/univrul.pdf> ]
- Discussion was heard again about the need to begin focusing on non-regulatory outreach efforts in RI on the topic of mercury reduction and education.

**Date of Next Meeting:**

The next meeting was set for Thursday, September 26, 2002 (same location - RI DEM, 235 Promenade Street) in Conference Room A, Director's Office , 4<sup>th</sup> Floor. Attendees were asked to forward comments and suggestions to Ron Gagnon or Beverly Migliore.

Meeting minutes and other materials will be forward in coming weeks. All attendees were reminded to sign in on the sheet by the door.

**Adjournment:**

Co-chair Jan Reitsma adjourned the meeting at approximately 11:30 am.

Recorded by: Elizabeth S. Stone, RI DEM

***Meeting Attendees as indicated on sign-in sheet (7/26/02):***

Alicia Karpick  
Andrew Dzykewicz  
Beverly Migliore  
Chris Vitale  
Claude Cote  
Elizabeth Stone  
Eugenia Marks  
Jan Reitsma  
Jason Martiesian  
Joan Milas  
Pat Quinlan  
Paul D'Adamo  
Rene Turcotte  
Ric Erdheim  
Rick Rosati  
Ron Gagnon  
Sheila Dormody  
Terry Gray  
Thomas Brandt  
Tiffany Skogstrom  
Tom Uva